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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/441,106	11/16/1999	JOSEPH W. KUTER	LUCENT-01400	3860
28960	7590	02/02/2004		
HAVERSTOCK & OWENS LLP 162 NORTH WOLFE ROAD SUNNYVALE, CA 94086			EXAMINER ANWAH, OLISA	
			ART UNIT 2645	PAPER NUMBER 14
DATE MAILED: 02/02/2004				

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/441,106

Applicant(s)

KUTER ET AL.

Examiner

Olisa Anwah

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 August 2003.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-63 is/are pending in the application.
- 4a) Of the above claim(s) 1-47 is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 48-63 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) 12.
- 4) ☐ Interview Summary (PTO-413) Paper No(s) _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

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DETAILED ACTION

Claim Rejections - 35 USC § 103

1. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

2. Claims 48-63 are rejected under 35 U.S.C § 103(a) as being unpatentable over Haddock, European Patent Application No. 0,679,005 (hereinafter Haddock).

Regarding claim 48, Haddock discloses an apparatus for marking and accessing bookmarks within a voice message comprising:

a storage media to store the voice message (col. 1, lines 5 and 6);

a processing unit coupled to the storage media to automatically search the voice message for a predetermined content and automatically bookmark located predetermined content within the voice message (col. 8, lines 15-25), wherein the

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predetermined content is selected from the group consisting of telephone numbers, dates and times (col. 5, lines 40-55); and a user interface coupled to the processing unit to access the voice message at the bookmark (see Figure 1).

Haddock does not explicitly disclose the group includes e-mail addresses and physical addresses. However Haddock discloses a user is able to specify a marker having a particular connotation (col. 3, lines 20 and 21). Hence a user may specify an address marker. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haddock wherein the group includes e-mail addresses and physical addresses. This modification allows a user to bookmark miscellaneous points of interest as suggested by Haddock (col. 5, lines 49 and 50).

Regarding claim 49, see col. 5, lines 45-50.

Regarding claim 50, see col. 5, lines 50-55.

Regarding claim 51, see col. 8, lines 15-25.

Regarding claim 52, see col. 8, lines 15-25.

Regarding claim 53, Haddock discloses the voice processing technique utilizes a voice parameter, the voice parameter being selected from the group consisting of number recognition and

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word recognition (col. 8, lines 15-25). Haddock does not explicitly disclose the group includes amplitude, a plosive change, a pitch change and a combination thereof. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haddock wherein the group includes amplitude, a plosive change, a pitch change and a combination thereof. This modification allows for markers to be found in recordings of meetings and general conversation as suggested by Haddock (col. 10, lines 24 and 25).

Regarding claim 54, Haddock discloses the user interface is selected from the group consisting of a graphical user interface and a mechanical user interface (see Figure 1). Haddock does not explicitly teach the group includes a telephone user interface and a voice command interface. "Official Notice" is taken that this limitation is both old and well known in the art. Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to modify Haddock wherein the group includes a telephone user interface and a voice command

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interface. This modification allows for a system without a display as suggested by Haddock (col. 9, line 50).

Claim 55 is rejected for the same reasons as claim 48.

Claim 56 is rejected for the same reasons as claim 49.

Claim 57 is rejected for the same reasons as claim 50.

Claim 58 is rejected for the same reasons as claim 51.

Claim 59 is rejected for the same reasons as claim 52.

Claim 60 is rejected for the same reasons as claim 53.

Regarding claim 61, see column 5.

Regarding claim 62, see column 5.

Claim 63 is rejected for the same reasons as claim 54.

Response to Arguments

3. Applicant's arguments have been considered but are deemed to be moot in view of the new grounds of rejection.

Conclusion

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Olisa Anwah whose telephone number is 703-305-4814. The examiner can normally be reached on Monday to Friday from 8.30 AM to 6 PM.

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If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Fan Tsang can be reached on 703-305-4895. The fax phone numbers for the organization where this application or proceeding is assigned are 703-872-9314 for regular communications and 703-872-9314 for After Final communications.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

O.A-
Olisa Anwah
Patent Examiner
January 25, 2004

FAN TSANG
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2600

